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\*Admitted only in Maryland  
\*Admitted only in Virginia  
•Practice Limited to  
Federal Agencies

June 15, 2006

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**Mail Stop Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 10/535,458; I.A. Filing Date: November 20, 2003  
For: **Novel Gene Targets and Ligands That Bind Thereto for Treatment  
and Diagnosis of Colon Carcinomas**  
Inventors: MCLACHLAN *et al.*  
Our Ref: 2159.0640005/EKS/J-H

Sir:

In reply to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);" dated March 15, 2006, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal for FY 2006;
2. Credit Card Payment Form (PTO-2038) for \$1,000.00 to cover:  
\$130.00 Surcharge for Declaration fee;  
\$120.00 for a one month Extension of Time fee;  
\$250.00 for Application Size fee;  
\$250.00 for one (1) independent claim in excess of three (3); and  
\$250.00 for five (5) claims in excess of 20;
3. Petition for Extension of Time Under 37 C.F.R. § 1.136(a);
4. Copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
5. Original Combined Declaration and Power of Attorney, executed by the inventors;
6. Request for Change of Attorney Docket Number Pleading;
7. Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address;

8. Statement Under 37 C.F.R. § 3.73(b), with a copy of Assignment attached. The Assignment document was, submitted for recordation pursuant to §3.11;
9. Preliminary Amendment and Submission of Sequence Listing;
10. Two (2) compact discs created June 15, 2006 of the written Sequence Listing marked "COPY 1" and "COPY 2", formatted form IBM-PC, Windows NT, WordPerfect 8, containing one file: "Sequence Listing ASCII, Docket No. 2159.0640005.ST25.txt", 152 kilobytes;
11. One (1) compact disc of computer readable form of Sequence Listing formatted for IBM-PC, ASCII DOS text, containing one file: "Sequence Listing ASCII, Docket No. 2159.0640005.ST25.txt", 152 kilobytes, created June 15, 2006; and
12. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In compliance with 37 C.F.R. § 1.52(e)(4) the duplicate copies of the written form on compact disc and the computer readable form of the Sequence Listing on compact disc are identical, i.e., "Copy I" and "Copy II" are identical, and the sequence information recorded in computer readable form on compact disc, i.e., "Computer Readable Format" is identical to the written (on compact disc) Sequence Listing.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Julie A. Heider  
Agent for Applicants  
Registration No. 54,161

06/21/2006 LLANDGRA 00000041 10535458

01 FC:1617	130.00 OP
02 FC:1681	250.00 OP
03 FC:1615	250.00 OP
04 FC:1614	200.00 OP

EKS/J-H/eaf:awt  
Enclosures

545407\_1.DOC

Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : [www.skgf.com](http://www.skgf.com)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MCLACHLAN *et. al.*

Application No.: 10/535,458

I.A. Filing Date: November 20, 2003

**For: Novel Gene Targets and Ligands  
That Bind Thereto for Treatment  
and Diagnosis of Colon Carcinomas**

Confirmation No.: 1633

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 2159.0640005/EKS/J-H

**Request for Change of Attorney Docket Number Pleading**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request that the attorney docket number for the above-captioned application be changed from "037003-0316138" to -- 2159.0640005/EKS/J-H --. Kindly use this attorney docket number in any future correspondence addressed to the undersigned.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Julie A. Heider  
Agent for Applicants  
Registration No. 54,161

Date: June 15, 2006

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600

545508v1

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL**  
**For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) **1,000.00****Complete if Known**

Application Number	10/535,458
Filing Date	November 20, 2003
First Named Inventor	Karen McLachlan
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	2159.0640005/EKS/J-H

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 19-0036 Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
25	- 20 or HP = 5	x 50 =	250.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
4	- 3 or HP = 1	x 250 =	250.00

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

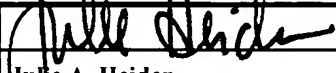
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
132	- 100 = 32	/ 50 = 1 (round up to a whole number)	x 250 =	250

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): surcharge for declaration, petition for extension of time **Fees Paid (\$)** 250.00**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	54,161	Telephone	(202) 371-2600
Name (Print/Type)	Julie A. Heider	Date	June 15, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/535,458	FIRST NAMED APPLICANT Karen McLachlan	ATTY. DOCKET NO. 037003-0316138
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INTERNATIONAL APPLICATION NO. PCT/US03/37206	
I.A. FILING DATE 11/20/2003	PRIORITY DATE 11/20/2002

00909  
PILLSBURY WINTHROP SHAW PITTMAN, LLP  
P.O. BOX 10500  
MCLEAN, VA 22102

CONFIRMATION NO. 1633  
371 FORMALITIES LETTER  
\*OC000000018267275\*

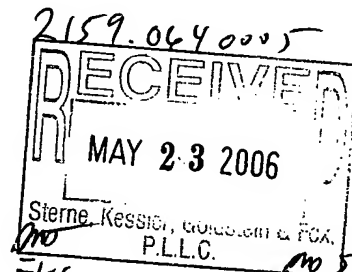
Date Mailed: 03/15/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/19/2005
- Copy of the International Search Report filed on 05/19/2005
- Copy of IPE Report filed on 05/19/2005
- U.S. Basic National Fees filed on 05/19/2005
- Priority Documents filed on 05/19/2005
- Specification filed on 05/19/2005
- Claims filed on 05/19/2005
- Abstracts filed on 05/19/2005
- Drawings filed on 05/19/2005

DOCKETED



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

Declaration, Late path/Decl Surcharge due June 15, 2006  
App'n size Fee, 57A Listing  
STAT BAR due October 15, 2006

• **\$130 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.

10/535,458

INTERNATIONAL APPLICATION NO.

PCT/US03/37206

ATTY. DOCKET NO.

037003-0316138

FORM PCT/DO/EO/905 (371 Formalities Notice)